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Atty. Dkt. No. 036481-0140

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Joel R. HAYNES ET AL.

Title: NUCLEIC ACID ADJUVANTS

Appl. No.: 09/993,307

Filing Date: 11/26/2001

Examiner: Richard A. Schnizer

Art Unit: 1635

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.



**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

**RELEVANCE OF EACH DOCUMENT**

All of the documents are in English.

Documents A1-A4 were cited in the International Search Report of Applicants' International Application No.: PCT/US01/43151. A copy of the International Search Report setting forth the portion of each reference considered relevant by the Examiner is attached.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date March 25, 2004

By

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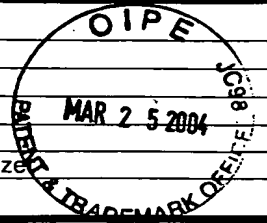
Richard C. Peet

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  Date Submitted: March 25, 2004 <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td>09/993,307</td> </tr> <tr> <td>Filing Date</td> <td>11/26/2001</td> </tr> <tr> <td>First Named Inventor</td> <td>Joel R. Haynes</td> </tr> <tr> <td>Group Art Unit</td> <td>1635</td> </tr> <tr> <td>Examiner Name</td> <td>Richard A. Schnizer</td> </tr> <tr> <td>Attorney Docket Number</td> <td>036481-0140</td> </tr> </table>		Application Number	09/993,307	Filing Date	11/26/2001	First Named Inventor	Joel R. Haynes	Group Art Unit	1635	Examiner Name	Richard A. Schnizer	Attorney Docket Number	036481-0140
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Sheet	1	of	1														



U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	A1	5,980,898		Glenn et al.	11/09/1999	
	A2	6,056,960		Kaslow	05/02/2000	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
	A3	GLENN et al., "Transcutaneous Immunization with Bacterial ADP-Ribosylating Exotoxins as Antigens and Adjuvants," <i>Infection and Immunity</i> , vol. 67, no. 3, pp. 1100-1106 (1999).	
	A4	SCHARTON-KERSTEN et al., "Transcutaneous Immunization with Bacterial ADP-Ribosylating Exotoxins, Subunits, and Unrelated Adjuvants," <i>Infection and Immunity</i> , vol. 68, no. 9, pp. 5306-5313 (2000).	
	A5	TANG et al., "Genetic Immunization is a Simple Method for Eliciting an Immune Response," <i>Nature</i> , vol. 356, pp. 152-154 (1992).	
	A6	ULMER et al., "Heterologous Protection Against Influenza by Injection of DNA Encoding a Viral Protein," <i>Science</i> , vol. 259, pp. 1745-1749 (1993).	
	A7	WANG et al., "Gene Inoculation Generates Immune Responses Against Human Immunodeficiency Virus Type 1," <i>Proc. Natl. Acad. Sci. (USA)</i> , vol. 90, pp. 4156-4160 (1993).	

Examiner Signature	Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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